DISCLOSURE OF PROTECTED HEALTH INFORMATION FOR PUBLIC HEALTH PURPOSES POLICY

RESPONSIBILITY: Privacy Official or Designee(s), Attorney, Department Managers

BACKGROUND:

Federal and state laws require or permit the Bureau for Behavioral Health and Health Facilities (BBHHF) to disclose protected health information without patient authorization in certain circumstances connected with public health activities. This includes births, deaths, some communicable diseases, to prove immunizations, and specific types of wounds and injuries. It also includes reporting certain information regarding products and activities regulated by the federal Food and Drug Administration and development of registries for certain diseases and conditions.

The BBHHF has a separate policy regarding reporting suspected cases of child abuse or neglect, or suspected cases of abuse, neglect, or domestic violence directed as an adult. See DISCLOSURE OF PROTECTED HEALTH INFROMATION TO REPORT CHILD ABUSE, OR OTHER ABUSE, NEGLECT, OR DOMESTIC VIOLENCE. It also has a separate policy for disclosure for health oversight activities by state and federal agencies. See DISCLOSURE OF PROTECTED HEATLH INFORMATION TO "REGULATORS".

POLICY:

Designated personnel may authorize the disclosure of protected health information, without the written authorization of the person to whom it pertains, for the following purposes:

1. Routine public health reporting, for purposes of controlling or preventing disease, injury or disability, as required by state law. This includes, (but is not limited to) reporting birth, death, communicable diseases, to state immunization registries and certain injuries.

2. Reporting to a school about a student or prospective student for purposes of proof of immunizations, as required by state or other law to have such proof of immunizations prior to admission.

3. Reporting to someone (including a drug manufacturer) under the jurisdiction of the federal Food and Drug Administration (FDA), regarding the quality, safety or effectiveness of regulated products and activities, will be managed by the Privacy Official or Designee(s) and Designated Attorney or Designee(s). This includes (but is not necessarily limited to) reporting PHI related to:

    3.1. Adverse events (or similar activities with respect to food or dietary supplements), product defects or problems with the use or labeling of a product), or biological product deviations;

    3.2. Tracking FDA-regulated products;

3.3. Product recalls, repairs, or replacement, or "look back" (including locating and notifying individuals who have received products that have been recalled, withdrawn, or are the subject of look back); or

3.4. Post marketing surveillance.

4. Reporting to individuals that they may have been exposed to a communicable disease, or may otherwise be at risk of contracting or spreading a disease or condition. This only applies when the BBHHF is authorized by law to notify such person as necessary in the conduct of a public health intervention or investigation.

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Victoria L. Jones, Commissioner, Bureau for Behavioral Health and Health Facilities